

EXHIBIT 1

From: Edward Takashima <etakashima@BSFLLP.com>
Sent: Tuesday, June 20, 2017 2:42 PM
To: Andrea P Roberts; JCooper@fbm.com; Matthew Cate; UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; DG-GPOttoTruckingWaymo@goodwinlaw.com
Cc: QE-Waymo
Subject: RE: Waymo v. Uber Deponent Lists

Andrea,

We think it is premature to exchange full witness lists at this point, and unnecessary to comply with Judge Alsup's order tomorrow. On the other hand, we do need to further discuss the deposition schedule we proposed last week and began discussing on Friday, per my email earlier today. We have made some minor changes to the proposed schedule, most significantly to address third-party deposition subpoenas. Please let us know whether Waymo will agree to this schedule, or propose any changes early this afternoon so that we can consider those proposals before the noon filing deadline tomorrow.

1. June 23: The parties notice at least six of their party depositions and issue subpoenas for at least three of their non-party depositions. The depositions do not have to be noticed for a specific time frame based on the date the notice or subpoena is issued.
 - a. Overall, the parties agree that dates for non-expedited party depositions should be set within 3 days after the deposition notice is served and the date scheduled should be within 7 days of the noticed date
2. June 30 (or a date agreed upon by the parties): Waymo takes its last expedited deposition.
3. July 5: The parties notice at least six of their party depositions and issue subpoenas for at least four of their non-party depositions.
4. July 24: Any party seeking additional depositions beyond the 15 provided by the Court must raise the issue with opposing parties and the Special Master. Any depositions granted must be noticed within 2 days of the decision granting those depositions.
5. August 7: The parties notice their remaining depositions and issue any remaining deposition subpoenas.

Regards,

Ed

Edward H. Takashima
Partner

BOIES SCHILLER FLEXNER LLP

401 Wilshire Blvd, Suite 850
Santa Monica, CA 90401
(t) +1 310 752 2408
(m) +1 213 399 4154
etakashima@bsfilp.com
www.bsfilp.com

From: Andrea P Roberts [mailto:andreaproberts@quinnemanuel.com]
Sent: Tuesday, June 20, 2017 11:13 AM
To: JCooper@fbm.com; Matthew Cate; UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; DG-GPOttoTruckingWaymo@goodwinlaw.com
Cc: QE-Waymo
Subject: Waymo v. Uber Deponent Lists

John and Counsel,

In furtherance of our efforts to comply with Judge Alsup's Order to file tomorrow a plan for completing depositions by August 24, we suggest that the parties exchange today a list of their proposed deponents. As we understand it, both sides submitted lists *ex parte* to Mr. Cooper on Friday, so the parties should be able to exchange those lists right away. We'd like both sides to be able to get started checking deponents' schedules to determine if they have any periods of unavailability between now and the close of fact discovery that the parties will need to plan for. We don't expect that either side will be able to have all of that information by the time of tomorrow's filing, but we don't think we should delay in getting this process started.

Exchange of these lists now should be without prejudice to making revisions to the lists based upon information, including identification of people whose relevant knowledge a party is not aware of, learned in discovery or otherwise, including but not limited to: supplemental initial disclosures, document productions, responses to interrogatories and requests for admission, and deposition testimony.

Please let us know if Defendants will agree to exchange their lists of likely deponents at 1 pm today.

Thanks,
Andrea

Andrea Pallios Roberts
Of Counsel,
Quinn Emanuel Urquhart & Sullivan, LLP

555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065
650-801-5023 Direct
650.801.5000 Main Office Number
650.801.5100 FAX
andreaproberts@quinnemanuel.com
www.quinnemanuel.com

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